

Message

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Sent: 3/21/2013 6:42:27 PM
To: Greene, Nikia [Greene.Nikia@epa.gov]
Subject: Fw: FINAL PROCESS AND EJ COMMENTS--BUTTE HEALTH STUDY WORK PLAN

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----- Forwarded by Nikia Greene/MO/R8/USEPA/US on 03/21/2013 12:42 PM -----

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Date: 02/13/2013 07:22 AM
Subject: Fw: FINAL PROCESS AND EJ COMMENTS--BUTTE HEALTH STUDY WORK PLAN

I would like to submit the following as my concluding "public comment" on the proposed Health Stud work plan. It focuses on **community involvement, environmental justice** and process.

Dr. John W. Ray

Additional Public Comment—Health Study Work Plan

Submitted by:
Dr. John W. Ray

As the public comment period on the Health Study Work Plan comes to a close, I

would like to offer the following process comments:

I don't need to repeat the details of EPA's written commitment, in terms of policy and procedure, to "meaningful public involvement" and to promoting environmental justice. We will see if the EPA's reaction to the comments received is congruent with the agency's written commitment to promote efficacious public involvement and to promote environmental justice. If the public comments simply get "blown-off" and become only the subject of a perfunctory responsiveness summary, Butte citizens will see once again that the EPA only pays "lip-service" to meaningful public involvement in Superfund decision-making and to environmental justice.

Butte citizens are not happy with the whole Health Study process.

1. From its inception the Health Study process has been problematic. It appears that the Health Study process that we are going through at the present was *necessitated* because the EPA did not like the results of Stacie Barry's study which showed that Superfund had serious problems in Butte. In all my years of involvement in Superfund, I have never seen such a "hatchet job" done on a study and the author of that study.
2. The process has been marked by secrecy. The public has had to constantly demand information about what was going on. Grudgingly, the EPA has released tidbits of information. How can the public participate in Superfund decision-making if it does not know what is happening? It took me countless emails just to find out, for example, who was on the Health Study advisory board and when it was meeting and what were the results of those meetings.
3. Although central Butte has a disproportionate number of low income citizens, environmental justice concerns have been ignored. Look to the work plan and you will see environmental justice is ignored. In this area I fault not only the Montana Office of EPA but Region 8's office in Denver which has an environmental justice staff. I was shocked to find that Region 8, unlike most EPA regions, does not even have an environmental justice action plan.
4. Butte citizens question the independence and validity of the study. It is the old story of the EPA evaluating itself and finding that it has done a good job. This Health Study has no credibility in the community. The EPA publicly laments a lack of citizen participation. Why should citizens participate when their comments have no efficacy? Why should citizens participate when they are criticized for participating? Time and again I have been told by members of the public that participation in Superfund is a total waste of time and effort. Perhaps it is time for Region 8 to become more involved. The above was not always the case. Years back the EPA in Montana was much more open to public input. Today, it is a defensive, hunker down agency. At a minimum, the Montana Office should have a public meeting and respond publicly to the comments it has received in addition to putting out a responsiveness summary. The

whole Health Study design and execution should be subject to independent peer review.

Will things change? We will see. We will see how seriously EPA takes the comments it receives. We will see if the EPA responds in a substantive manner to the comments it receives. We will see if the EPA makes changes in the Health Study Work Plan to respond to citizen input. We will see if EPA takes seriously its commitment to meaningful public involvement and environmental justice.

I am not optimistic. It is hard to hold an agency publicly accountable. We can't vote agency personnel out of office. I suspect all we will get is some perfunctory response to citizen input. Hopefully, I will be proved wrong.